



Crl. O.P. No.7176 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.7176 of 2025

Ashok S/o. Karunakaran

... Petitioner / Accused

Vs.

The State represented by:

The Inspector of Police,
Mathur Police Station,
Krishnagiri District.
(Crime No.2 of 2025).

... Respondent

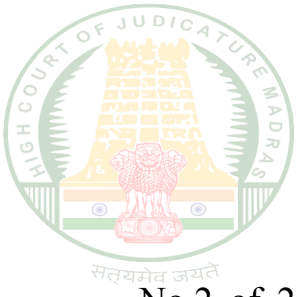
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.2 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.P. Saravanan

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.01.2025, seeking bail in Crime



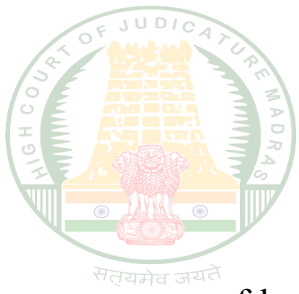
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No.2 of 2025 registered for the offences under Sections 5(1), 5(j)(ii) and 6 of POCSO Act.

2. The case of the prosecution is that the petitioner and the victim girl had a love affair; that the petitioner, on the promise of marrying, taking advantage of the relationship, had committed penetrative sexual assault on the victim girl and thereafter, the victim girl became pregnant and therefore, the case was registered against the petitioner for the offences under Sections 5(1), 5(j)(ii) and 6 of POCSO Act.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the victim girl was unable to bear the torture meted out by her mother and therefore, she committed suicide after the registration of this case; that it is the case of love affair; that considering the age of the petitioner and period of incarceration, further custody of the petitioner is not required and prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and on instructions submitted that it is a



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case of love affair; that the victim girl was secured and she was staying at Home; that thereafter she was taken by her mother and while, she was residing at her mother's house, she has committed suicide and for that, a separate case has been registered under Section 194 of B.N.S.S. for suspicious death and the same is pending investigation.

5. Considering the aforesaid facts, the nature of allegations against the petitioner, age of the petitioner, the fact that it is the case of love affair and considering the period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Sessions Judge, Fast Track Mahila Court, Krishnagiri** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall Stay at Madurai and appear before the Thallakulam Police Station daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

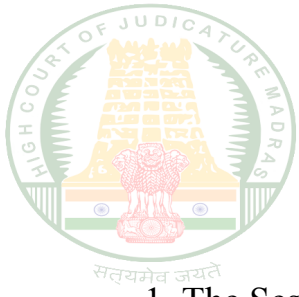
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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To



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1. The Sessions Judge, Fast Track Mahila Court, Krishnagiri.
2. The Inspector of Police, Mathur Police Station, Krishnagiri District.
3. The Inspector of Police, Thallakulam Police Station, Madurai.
4. The Superintendent of Police, Central Prison, Salem.
5. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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